

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

BETTY STEWART; *et al.*

v.

TARRANT COUNTY, TEXAS; *et al.*

§
§
§
§
§

CIVIL ACTION NO. 4:21-cv-597-O

JOINT STATUS REPORT

TO THE HONORABLE JUDGE OF THIS COURT:

Plaintiffs Betty Stewart; Jimmy Stewart; Alyssa Christian Stewart; Savannah Brooke Stewart, Cole Stewart; and Dean Glen Stewart (Plaintiffs) and Defendant Tarrant County, Texas (“Defendant”), submit this joint status report per this Court’s June 1, 2022 Order. ECF No. 57.

I. Procedural Posture

Plaintiffs filed suit on April 26, 2021 and, following this Court’s ruling on Tarrant County’s Motion to Dismiss, they amended their complaint on December 29, 2021. ECF Nos. 1, 20, 24. At the time, the Court had entered a Scheduling Order. ECF No. 19. Because it was anticipated that the newly-joined individuals would raise the issue of qualified immunity through motions to dismiss, Plaintiffs and Tarrant County sought a stay of the deadlines in the Court’s Scheduling Order, which the Court granted on February 3, 2022. ECF No. 28. The Court subsequently stayed all discovery pending resolution of the motions to dismiss. ECF No. 47.

The Court ruled on the second round of motions to dismiss on May 25, 2022. ECF No. 56. Separately, the Court ordered Plaintiffs and Tarrant County “to file a joint status report proposing a schedule for discovery and remaining litigation deadlines no later than June 15, 2022.” ECF No. 57.

II. Proposed Schedule for Discovery and Remaining Litigation Deadlines

The day the Court issued its June 1 Order, Plaintiffs and Tarrant County conferred and began discussing options for mediation (one of the remaining deadlines). Plaintiffs and Tarrant County have scheduled mediation with mediator Wade McMullen to occur on August 26, 2022, the earliest date he could accommodate a full day mediation. With that mediation date, and the hope of avoiding significant litigation expenses and attorneys' fees before the scheduled mediation, Plaintiffs and Tarrant County propose the following modifications to the deadlines remaining as of the February 3, 2022 stay of the Court's Scheduling Order (ECF No. 19):

Deadline	Old Date	Proposed New Date
Responsive Expert Designation & Report (¶ 4 b.)	February 14, 2022	September 12, 2022
Rebuttal Expert Designation (¶ 4 c.)	30 days after disclosure made by other party	30 days after disclosure made by other party
Expert Objections (¶ 4 d.)	August 8, 2022	March 6, 2023
Dispositive Motions (¶ 3)	May 16, 2022	December 9, 2022
Mediation (¶ 5)	March 16, 2022	August 26, 2022
Completion of Discovery (¶ 6)	April 15, 2022	November 14, 2022
Pretrial Disclosures and Objections (¶ 7)	August 3, 2022 Objections due 14 days thereafter	March 1, 2023 Objections due 14 days thereafter
Pretrial Materials (pretrial order etc.) (¶ 8)	August 18, 2022	March 16, 2023
Exchange of Exhibits (¶ 9)	August 29, 2022	March 27, 2023
Pretrial Conference (¶ 11)	To be set if necessary.	To be set if necessary.
Trial Date (¶ 1)	September 12, 2022	April 10, 2023

Dated: June 14, 2022

Respectfully submitted,

By: /s/ Christopher J. Gale
Christopher J. Gale
Texas Bar No. 00793766
Email: Chris@GaleLawGroup.com
Attorney-In-Charge for Plaintiffs
GALE LAW GROUP, PLLC
711 N. Carancahua St., Suite 514
Corpus Christi, Texas 78401
Mailing Address:
P.O. Box 2591
Corpus Christi, Texas 78403
Telephone: (361) 808-4444
Telecopier: (361) 232-4139

Celso Vidaurri III (Local Counsel)
Texas Bar No. 00794791
623 W. Division St., Suite A
Arlington, Teas 76011-7488

ATTORNEYS FOR PLAINTIFFS

By: /s/ M. Keith Ogle
M. KEITH OGLE
State Bar No. 24037207
Assistant Criminal District Attorney

SHAREN WILSON
CRIMINAL DISTRICT ATTORNEY
TARRANT COUNTY, TEXAS
Tarrant County Criminal District Attorney's Office
Tim Curry Justice Center
401 W. Belknap Street, 9th Floor
Fort Worth, TX 76196
Tel: (817) 884-1233
Fax: (817) 884-1675

**ATTORNEY FOR DEFENDANT
TARRANT COUNTY, TEXAS**